

REMARKS

Claims 77-96 and 116-121 were presented for examination and were pending in this application. In an Office Action dated January 5, 2007, claims 77-96 and 116-121 were rejected. In this amendment, Applicants have canceled claims 77-96 and 116-121, and have added claims 122-138. Applicants thank Examiner for examination of the claims pending in this application and address Examiner's comments below.

Examiner rejected claims 77-96 and 116-121 under 35 USC 102 or 35 USC 103 over a combination of Daleen, Walker, Lupien, Barzilai, and/or Parunak. Applicants' representative conducted an interview with Examiner Michael Misiaszek on May 3, 2007, the relevant portions of which are summarized herein in accordance with MPEP §713.04. During the interview, claim language, Examiner's rejections, and the references of record were discussed. Applicants' representative and Examiner reached agreement that the references of record do not suggest or disclose "transmitting a request from a seller to the buyers asking the buyers to vote on a hypothetical offer for the product at a price from the seller" as recited in new independent claim 122 (and similarly recited in new claims 129 and 136), or "an auto-responder that receives electronic messages from the one or more buyer, and, for each message, parses the message, selects response content based on the parsed message, generates a response using the response content, and automatically provides the generated response to the buyer" as recited in new claim 137 (and similarly recited in new claim 138). For at least this reason, these claims, and the remaining new claims that depend on them, are patentable over the references of record.

On the basis of the above, Applicants believe they have addressed the Examiner's rejections and respectfully request their withdrawal. The early allowance of all claims is

requested. If the Examiner believes that direct contact with the Applicants' attorney will advance the prosecution of this case, the Examiner is encouraged to contact the undersigned as indicated below.

Respectfully Submitted,
Tom Van Horn *et al.*

Date: May 7, 2007

By: /Colleen V. Chien/

Colleen V. Chien
Registration No. 55,062
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: 415-875-2319
Fax: (650) 938-5200
E-Mail: cchien@fenwick.com